IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

JEAN VARTANIAN,

Plaintiff, : CASE NO. 2:14-cv-14907

v. :

ACCOUNT SERVICES, : <u>NOTICE OF REMOVAL</u>

Defendants.

Now comes Defendant Account Services Collections, Inc., pursuant to 28 U.S.C. §§ 1331, 28 U.S.C. § 1441, 15 U.S.C. § 1681 et seq., and files this Notice of Removal, and in support hereof sets forth the following grounds:

- 1. On or after December 1, 2014, Defendant was served with Plaintiff's Complaint, a copy of which is attached hereto, in an action entitled <u>Jean Vartanian v. Account Services</u> filed of record with the Clerk of Courts for the 43rd Judicial District, State of Michigan, Case No. 14-044871-SC.
- 2. Plaintiff's Complaint purports to set forth a cause of action under the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq.
- 3. This Court has original jurisdiction over Plaintiff's cause of action based upon 28 U.S.C. § 1331 and 15 U.S.C. § 1681 et seq. Pursuant to 28 U.S.C. § 1441, therefore, the civil action pending in the 43rd Judicial District, State of Michigan is removable to this Court.
- 4. Defendant will file its response to Plaintiff's Complaint with this Court within seven (7) days of the filing of this Notice of Removal.
- 5. Thirty (30) days have not yet expired since receipt of Plaintiff's Complaint.
- 6. Copies of all process, pleadings and orders served upon Defendant in this action are attached hereto.
- 7. Defendant has provided written notice of the filing of this Notice of Removal to Plaintiff by ordinary mail on this date and has also forwarded a Notice for filing with the Clerk of Courts for the 43rd Judicial District, State of Michigan regarding this Notice of Removal.

WHEREFORE, Defendant prays that the above-captioned action now pending in the 43rd Judicial District, State of Michigan be removed therefrom and placed on the regular docket of the United States District Court for the Eastern District of Michigan.

Respectfully submitted,

/s/ Jennifer A. Kirby

Jeffrey C. Turner (OH 0063154) Jennifer A. Kirby (OH 0080619) SURDYK, DOWD & TURNER CO., L.P.A. One Prestige Place, Suite 700

Miamisburg, Ohio 45324

Phone: (937) 222-2333 Fax: (937) 222-1970 jturner@sdtlawyers.com jkirby@sdtlawyers.com

Attorneys for Defendant Account Services Collections, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 29th, 2014, a copy of the foregoing was mailed by regular U.S. Mail to the following:

Jean Vartanian 836 Chapin Birmingham, MI 48009 Pro Se Plaintiff

/s/ Jennifer A. Kirby
Jennifer A. Kirby (OH 0080619)

Approved, SCAO

To **order** this form, call (517) 337-1211 Target Information Management, Inc.

Original - Court (with instructions)
1st copy - Defendant (with instructions)
2nd copy - Plaintiff (with instructions)
3rd copy - Return (with proof of service)

STATE OF MICHIGAN

AFFIDAVIT AND CLAIM

CASE NO.

JUDICIAL DISTRICT	Small Claims	14-044871-SC
ourt address 305 E NINE MILE RD	·	-547-8700 Court telephone no
Jean Vartanian	nstructions on the back of plaintiff and def	endant copies.
Plaintiff		NOTICE OF HEARING
ASG Chapin Address		For Court Use Only
Birmingham, MI, 4800 City, state, zip	7 248 660-0117 The plaintiff and COURT DATE	d the defendant must be in court on WILL BE SET ONCE DEFT IS SERVED
Defendant Services	Day	Date
Address A.E. Loop 410 Su	ite 400 at Time	at the court address above.
San Antonio, TX 1821 City, state, zip	7- (210)821-1234 Location CERT MAIL	12.00
	Process server's n	
nas been previously filed in	other parties arising out of the transact Court. The case no longer pending.	tion or occurrence alleged in this complaint on number, if known, is
I have knowledge or belief about all the for the plaintiff or his/her guardian, conser	acts stated in this affidavit and I am vator, or next friend. \Box a partner.	a full-tittle employee of the plaintiff.
The plaintiff is Y an individual. a		sole proprietor. Other
The defendant is an individual. a	partnership. Y a corporation. a	sole proprietor. Other
The date(s) the claim arose is/are $\frac{N_{0}}{Attach}$	ch 2 202 /2014	8 00 .
	appropriate. They	costs are determined by the court and awarded as are not part of the amount claimed.)
The reasons for the claim are NOT pco	perly removing trad.	e line report off
predit bureau or in	vestigating in a tu	mely manner. In
pilation of F.A.C. A and.	FCRA laws and regulation	s. Refusal todo as a greeds in
The plaintiff understands and accepts the (a) recover more than this limit, (b) an atte	orney, (c) a jury trial, and (d) appeal the	judge's decision.
believe the defendant is in it is not	mentally competent. I believe the dete	ndant Mis Lis not 18 years or older.
 ☐ I do not know whether the defendant is ☐ The defendant is in the military service 	in the military service. In The defenda	nt is not in the military service.
And the state of a		
: It was preside the part of sit withes √ √- scribed and sworn to before me on	21/14 Signature	Gounty, Michigan.
commission expires: 12/10/8	Signature:	, The # 1
ry public, State of Michigan, County of	Deputy cierk/Notary	public
defendant(s) must be served by	2/20/15	e European
Expiration	on date	

Case 2:14-cv-14907-PDB-EAS ECF No. 1 filed 12/29/14 PageID.4 Page 4 of 4 Original - Court 1st copy - Plaintiff/Attorney 2nd copy - Defendant/Attorney 3rd copy - Extra Approved, SCAO STATE OF MICHIGAN CASE NO. 14044871SC SC JUDICIAL DISTRICT 43RD NOTICE TO APPEAR JUDICIAL CIRCUIT **OFFENSE:** Court address 305 E. NINE MILE RD. Court telephone no. FERNDALE, MI 48220 (248) 547-8700 YOU ARE DIRECTED TO APPEAR AT: VARTANIAN/JEAN/ 836 CHAPTIN BIRMINGHAM, MI 48009 X The court address above, courtroom ____ Plaintiff Personal service 7.7 XXXXXXX Magis. JAMES PATRICK BRENNAN P-37508 ACCOUNT SERVICES// FOR THE FOLLOWING PURPOSE: 1802 N.E. LOOP 410 STE 400 SAN ANTONIO, TX 78217 COURT ROOM or PLACE DATE TIME Defendant Personal service Pre-trial Conf. Preliminary Exam Jury Selection Plaintiff's attorney/People Personal service Nonjury Trial Sentencing Motion Personal service Defendant's attorney Arraignment

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Date issued: DEC. 4, 2014

Officer

Clerk of the Court

1/07/15

8:30 AM

IMPORTANT: READ THIS CAREFULLY

Informal Hearing

Formal Hearing

MEDIATION

☐ The above matter is adjourned from

X HEARING

- 1. Bring this notice with you.
- No case may be adjourned except by authority of the judge for good cause shown.
- 3. FAILURE OF THE DEFENDANT TO APPEAR in a civil case may cause a default judgment to be entered. FAILURE OF THE PLAINTIFF TO APPEAR may result in a dismissal of the case.

MC 06 (3/13) NOTICE TO APPEAR

4. FAILURE TO APPEAR in a criminal case may subject you to the penalty for contempt of court, and a bench warrant may be issued for your arrest.

WEDNESDAY

- If you intend to employ a lawyer, he or she should be notified of the date at once.
- 6. Fines, costs, and other financial obligations imposed by the court must be paid at the time of assessment.

dw 12/04/14